



FEB 02 2005

INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

INDIANA UTILITY  
REGULATORY COMMISSION  
<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

PETITION OF THE CITY OF MARION, )  
INDIANA, FOR AUTHORITY TO INCREASE )  
ITS RATES AND CHARGES FOR WATER )  
SERVICE, AND FOR APPROVAL OF NEW )  
NEW SCHEDULE OF RATES AND )  
CHARGES APPLICABLE THERETO )

CAUSE NO. 42720

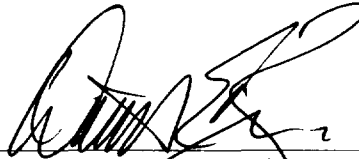
You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made:

On January 18, 2005, counsel for the Office of the Utility Consumer Counselor ("OUCC") filed the *OUCC's Motion For Extension of Filing Date* ("Motion"), advising that the parties are working toward settlement of all issues but are not yet prepared to file settlement documents. The OUCC now seeks an additional day in which to file its case-in-chief or testimony in support of a settlement agreement. The existing procedural schedule in this Cause, modified by Docket Entry dated January 20, 2005, at the request of the OUCC, requires the OUCC to file its case-in-chief on or before February 1, 2005. Counsel for the Petitioner has been contacted and does not object to the Motion.

170 IAC 1-1.1-18(i) governs written requests for extensions of time in which to prefile testimony. The rule states that "[t]he motion should be filed prior to the time set for the filing of the testimony . . .", and provides that the Presiding Officer, for good cause shown, may fix the extension of time in which to prefile testimony in order to avoid undue delay and provide a reasonable opportunity for all parties to properly prepare their cases.

The Presiding Officers, being duly advised in the premises, now find that the OUCC's Motion should be granted. In an effort to afford the parties ample opportunity for settlement negotiations, we find it appropriate to grant the OUCC one (1) extra day in addition to the extension sought by the Motion. Thus, the OUCC should file its case-in-chief or testimony in support of a settlement on or before February 3, 2005. Petitioner's rebuttal shall be filed on or before February 15, 2005. The evidentiary hearing in this Cause remains scheduled for February 24, 2005, at 9:30 a.m. in Room E306, Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana. **Should the parties reach a settlement, a copy of the settlement agreement shall be filed with the Commission a minimum of five (5) business days prior to the Evidentiary Hearing.**

**IT IS SO ORDERED.**



\_\_\_\_\_  
David E. Ziegner, Commissioner



\_\_\_\_\_  
Andrea L. Brandes, Administrative Law Judge

Date: February 2, 2005